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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/763,607	04/19/2001	Cord F. Stahler	2923-436	3440
6449 7590 12/26/2008 ROTHWELL, FIGG, ERNST & MANBECK, P.C. 1425 K STREET, N.W. SUITE 800 WASHINGTON, DC 20005				
EXAMINER				
GROSS, CHRISTOPHER M				
ART UNIT		PAPER NUMBER		
1639				
NOTIFICATION DATE		DELIVERY MODE		
12/26/2008		ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

PTO-PAT-Email@rfem.com

### COMMUNICATION

The reply filed on 9/16/2008 is not fully responsive to the prior Office Action because a complete reply must include a listing of all claims readable on the elected species, including any claims subsequently added in accordance with MPEP § 809.02(a) (e.g., see 4/28/2004 Restriction, page 5, section 4).

Furthermore, it is again acknowledged that applicant has elected: 'nucleic acids' as chemical or biological materials; and 'illumination matrix arrangement involving transmitted light' as species to be examined in the response filed on 6/2/03. Applicants in the response filed on 10/28/04 further have elected 'ultraviolet light' as species of electromagnetic radiation used in the exposure; radiation which can be focused in different planes as the species of radiation; 'a reflection matrix' as the species of illumination matrix; and a 'glass' as the species of carrier, however no indication in said reply of 9/16/2008 if new claim 58 reads on all of the elected species. See also page 4, first full paragraph of the restriction requirement mailed 4/28/2004.

Since the above-mentioned reply appears to be bona fide, applicant is given ONE(1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHRISTOPHER M. GROSS whose telephone number is (571)272-4446. The examiner can normally be reached on M-F 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Low can be reached on 571 272 0951. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Christopher M Gross  
Examiner  
Art Unit 1639

cg

/ Christopher S. F. Low /  
Supervisory Patent Examiner, Art Unit 1639